



would need an additional three years and eight months of experience to qualify for the examination.

On appeal, the appellant highlights his provisional experience in the title under test and details his experience as a Crew Supervisor Channel Marking, Channel Marker and Boat Attendant. In this regard, he states that he has mastered many field and trades at the Aids to Navigation Facility such as mechanic work, carpentry, electrical, masonry and fabrication. Further, the appellant notes that he was responsible for the completion of subordinate PARs and that he recently graduated from college with a Bachelor's degree. As such, he maintains that he is eligible for the subject examination.

*N.J.A.C. 4A:4-2.6(a)* provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date.

## CONCLUSION

In the present matter, a review of the documentation demonstrates that the appellant is not eligible for the examination. Incumbents in the Crew Supervisor Channel Marking title primarily assign, instruct and supervise a crew engaged in the marking and maintenance of the State's coastal waters and inland waterways and lakes for the safety of the boating public. As such, experience in charge of the operation and maintenance of utilities and maintenance programs of an institution, college or similar multi-building complex would be considered out-of-title work for incumbents in this title. *N.J.A.C. 4A:4-2.6(c)* provides that, except when permitted for good cause, applicants for promotional examinations may not use experience gained as a result of out-of-title work to satisfy eligibility requirements. Regardless, the appellant did not indicate performance of the required out-of-title duties on his original application or provide any documentation on appeal that he primarily performed the required out-of-title work.

Additionally, in order for experience to be considered applicable, it must have as its primary focus full-time responsibilities in the areas required in the announcement. *See In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004). The appellant's original application materials demonstrate that he primarily performed the duties of an incumbent in the Channel Marker title series. Further, the appellant's part-time experience as a Fire Chief, District Warden, Heavy Equipment Operator, OEM Coordinator, and Class II Police Officer did not match the announced requirements. As such, he was properly deemed ineligible for the subject examination.

A thorough review of all material presented indicates that the determination of the Division of Agency Services, that the appellant did not meet the announced

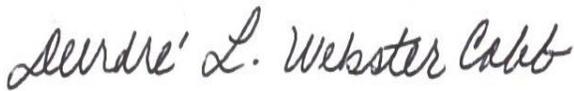
requirements for eligibility by the examination closing date, is supported by the record. Thus, the appellant has failed to support his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON THE  
4<sup>TH</sup> DAY OF APRIL, 2018



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